

North Carolina
Department of Environment and Natural Resources

Michael F. Easley, Governor
William G. Ross, Secretary
Dexter R. Matthews, Director



Wilkes County
Gary Page, Manager
110 North Street, Room 110
Wilkesboro, NC 28697

**RE: Wilkes County MSW Landfill
Permit #: 97-04
Compliance Update**

Dear Mr. Page:

As a follow-up to the site inspection conducted on Tuesday, April 8, 2008, this letter and the attached report shall serve as an update on the status of compliance for the Wilkes County MSW Landfill in Roaring River, NC, in relation the Compliance Order issued on February 12, 2008.

As noted to you in our phone conversation yesterday, some of the requirements for compliance in this matter have still not been completely addressed.

In following the format of my March 17, 2008 letter to you outlining those conditions for compliance, the conditions will appear below in standard text, and my comments in italics.

1. Take immediate action to meet the requirements set forth in 15A NCAC 13B .1626(2) in providing adequate cover on all waste at the facility.

During the April 8th inspection, it was observed that areas of waste (outside of the working face) both in Phases 2 and 3 remain uncovered, either completely or partially in nature. Facility staff was hauling dirt and trying to cover areas the areas in Phase 3, however some areas of Phase 2 were too wet to access. All waste must be completely covered with six inches of soil to be deemed compliant.

2. Develop and implement a plan to control all windblown waste at the facility.

It was observed during the inspection that no additional sections of the taller fence appeared to be installed on the access road adjacent to Phase 3. The five-foot tall section of fence along the top of the slope of Phases 2 was partially in place, with staff noting that additional fencing would be installed.

3. Take immediate action to repair the failed section of the berm, remove all waste from the sediment pond, and pump any remaining water into the leachate pond.

The additional work to complete the repairs to the berm, its outlet section, and the storm water diversions within Phase 3 to meet the design from Joyce Engineering as outlined in their December 4, 2007 letter to the facility have not been completed.

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4. Obtain the services of a NC licensed geologist to assess and remediate any potential groundwater contamination resulting from the leachate release outside of Phase 3. A plan of action must be submitted after the assessment.

Staff from Joyce have been on-site and conducted initial soil sampling. I am unaware if Joyce has submitted its assessment as of today.

5. Submit a report on the cause of the leachate release and a plan of action to prevent migration outside of the liner. The plan shall be in accordance with 15A NCAC 13B .1626(12).

Per the March 7, 2008 letter from Joyce Engineering on behalf of Wilkes County, all of the repairs, when made in accordance with their December 4, 2007 letter to the facility shall serve as an adequate plan of action.

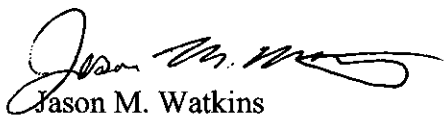
6. Take immediate action to either remove or adequately store all scrap tires at the facility. Develop and implement a plan to address the management of scrap tires.

Scrap Tires are currently being managed properly at the facility. As noted in the March 17, 2008 letter, the facility will need to submit an updated version of the Scrap Tire Management plan once it has determined if the grinding of tires will be re-instated as a management technique.

The deadline for compliance of the six items listed above was 30 days from the receipt of the Compliance Order dated February 12, 2008, or March 14, 2008. We are fast approaching 60 days from that receipt date, so it is of up most importance that the outstanding items be addressed in a very timely manner. At the request of the landfill staff, based on when they felt like the items would be fully addressed, the next site inspection will occur in three weeks on April 30, 2008.

If you have any questions and/or concerns regarding my comments above in regards to facility compliance, please contact me at (336) 771-5092.

Sincerely,



Jason M. Watkins
Central District Supervisor
Field Operations Branch

Enclosures

Cc: Mark Poindexter, Field Operations Branch Head
Paul Crissman, Section Chief
Nancy Scott, Asst. Attorney General